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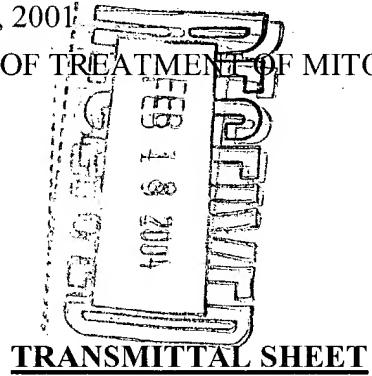
*LAP*  
*SP 1614*  
PATENT  
Attorney Docket No.: UCSD1140-1

**AMENDMENT UNDER 37 C.F.R. § 1.116**  
**EXPEDITED PROCEDURE – GROUP ART UNIT 1614**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert K. Naviaux Art Unit: 1614  
Application No.: 09/889,251 Examiner: P. Spivack  
Filed: November 1, 2001  
Title: METHODS OF TREATMENT OF MITOCHONDRIAL DISORDERS

Mail Stop: AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450



Transmitted herewith for the above-identified application, please find:

- (1) Response to Final Office Action mailed August 5, 2003 (12 pgs);
- (2) Notice of Appeal (2 pgs);
- (3) Petition for Three Month Extension of Time (2 pgs);
- (4) Check No.: 553368 in the amount of \$640.00; and
- (5) Return postcard.

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on February 5, 2004, in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

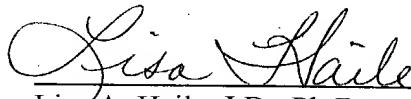
*Cara Grifone 2/5/04*  
Cara Grifone

In the Application of  
Robert K. Naviaux  
Application Serial No.: 09/889,251  
Filed: November 1, 2001  
Page 2

PATENT  
Attorney Docket No.: UCSD1140-1

Enclosed is a check in the amount of \$640.00 for the Three-Month extension of time fee and a Notice of Appeal fee. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A copy of this Transmittal Sheet is enclosed.

Respectfully submitted,



Lisa A. Haile, J.D., Ph.D.  
Registration No.: 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

Date: February 5, 2004

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TECH CENTER 1600/232

**USPTO CUSTOMER NUMBER 28213**  
GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133



PATENT  
Attorney Docket No.: UCSD1140-1

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PETITION FOR EXTENSION OF TIME

Sir:

This is a request under the provisions of 37 C.F.R. § 1.136(a) to extend the period for filing a response in connection with the Office Action mailed August 5, 2003.

The requested extension is for Three (3) Months, extending the period for response from November 5, 2003 to February 5, 2004.

2/10/2004 DTESEM1 00000134 09889251

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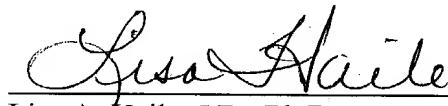
CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <b>February 5, 2004</b> , in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	
Cara Grifone (Name of Person Mailing Paper)	
<i>Cara Grifone</i> (Signature)	February 5, 2004 (Date)

In the Application of  
Robert K. Naviaux  
Application Serial No.: 09/889,251  
Filed: November 1, 2001  
Page 2

PATENT  
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Respectfully submitted,

  
Lisa A. Haile, J.D., Ph.D.  
Registration No.: 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

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